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SUBJECT: US APPROACH TO 2010 NUCLEAR NON-PROLIFERATION
TREATY REVIEW CONFERENCE

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11. (U) SUMMARY: This is an action request (see para 11 below). As we reach the six-month mark before the start of the May 2010 Nuclear Non-Proliferation Treaty Review Conference (NPT RevCon), posts are requested to use all appropriate opportunities with host government officials and in public diplomacy fora to highlight the U.S. commitment to strengthening the NPT and overall nonproliferation regime. The year 2009 saw a dramatic shift in U.S. nonproliferation and arms control policy that reinforces our efforts to encourage a constructive, balanced review of the NPT next May. We hope that the NPT RevCon will, in turn, give impetus to new initiatives and on-going efforts that can accelerate and broaden international nonproliferation efforts in the ensuing years.

12. (U) Outreach to non-nuclear-weapon states in the Non-Aligned Movement (NAM) and the G-77, which make up the largest segment of the NPT membership, is particularly important. We seek to underline to them and others that the United States is fully committed to an ambitious arms control and disarmament agenda to achieve the peace and security of a world without nuclear weapons, to the expansion of cooperation on peaceful uses of nuclear energy (consistent with the NPT's nonproliferation obligations), to effective verification by the IAEA, to full compliance by all states with the NPT's nonproliferation obligations, and to the universalization of the NPT. We will work to achieve a balanced review of the NPT at the 2010 RevCon, and urge others to join us in this endeavor. END SUMMARY

CONTEXT

13. (U) The year 2009 marked a dramatic shift in U.S. nonproliferation policy. This shift began with President Obama's April 5 speech in Prague, in which he stated that the United States seeks the peace and security of a world without nuclear weapons and, toward this end, is working to strengthen the NPT as the basis for international cooperation on nuclear nonproliferation. Among other major impacts on the global nonproliferation and disarmament discussion, the speech helped spur the Conference on Disarmament (CD) in Geneva to adopt a program of work for the first time in 12 years. That program of work included negotiations on a Fissile Material Cutoff Treaty (FMCT), an important element in the

President's nonproliferation agenda. The July 6 U.S.-Russia Summit in Moscow reaffirmed the commitment of the United States and Russia to seek to finish a START follow-on agreement.

¶4. (U) Alongside the UN General Assembly this fall, President Obama chaired an historic UN Security Council Summit on Nuclear Nonproliferation and Disarmament; the Council Summit unanimously adopted UN Security Council Resolution 1887, which endorsed a broad framework of actions to reduce global nuclear dangers including specific steps to strengthen the NPT and the International Atomic Energy Agency (IAEA). Secretary Clinton led U.S. participation in the Comprehensive Nuclear Test-Ban Treaty (CTBT) Article XIV Conference on facilitating entry into force of the treaty, the first time that the United States had attended in ten years. The UNGA First (Disarmament) Committee in October 2009 provided a forum in which the U.S. again demonstrated its commitment to increased multilateral engagement on nonproliferation and disarmament issues, reducing the number of its negative votes from 23 to 10, and in no case voting "no" in isolation.

¶5. (U) Looking forward, the United States will continue to work with other CD members to try

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to implement the 2009 program of work and begin FMCT negotiations promptly when the CD convenes on January 18. Washington expects to complete its Nuclear Posture Review early in ¶2010. The Nuclear Security Summit in Washington on April 12-13, 2010 will provide a forum for countries to come to a common understanding of the threat posed by nuclear terrorism and to recognize that nuclear material, whether in civilian or military use, should not be vulnerable to that threat.

¶6. (U) The United States also is engaged in an ongoing process of intensive work with the defense, intelligence, and scientific communities to prepare the ground to seek the advice and consent of the Senate to the Comprehensive Nuclear Test-Ban Treaty (CTBT); we also are working with friends and allies to encourage other countries to ratify the CTBT and allow it to enter into force. Finally, the NPT RevCon itself will be an opportunity for the United States and the other NPT parties to reaffirm their commitment to the Treaty and its principles, and to agree on measures that can be taken to improve implementation of the Treaty and strengthen the global nonproliferation regime.

NPT BACKGROUND

¶7. (U) The NPT, with nearly 190 States Party, is a key element in the global nonproliferation regime. From May 3-28, 2010, NPT Parties will meet at the United Nations in New York for the 2010 NPT Review Conference (RevCon). The Treaty provides for a conference of the Parties every five years "to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized." The Treaty text (which is less than 2300 words) can be found at

<http://www.state.gov/t/isn/trty/16281.htm>.

¶8. (U) The 2010 RevCon convenes at a time of great challenge to the NPT and the broader nonproliferation regime. Although the basic bargain of the Treaty remains sound and relevant, the regime is challenged, among other things, by the failure of a handful of NPT Parties - most notably, Iran and the DPRK prior to its announcement of its intention to withdraw from the NPT - to comply with their NPT nonproliferation and IAEA safeguards obligations; the growing commercial availability of sensitive nuclear technology; and weaknesses in the IAEA verification system.

¶9. (U) The RevCon is a key opportunity to address these challenges, and we would like it to reaffirm the Parties' commitment to the Treaty and to agree on actions to strengthen its implementation. We seek a balanced RevCon that strengthens all three NPT pillars - nonproliferation, disarmament, and peaceful uses. A successful RevCon will not only revitalize the Treaty, but also contribute valuable momentum to our collective efforts in Vienna at the IAEA, in New York at the UN, in Geneva at the CD, in capitals, and elsewhere to deal with challenges to the nuclear nonproliferation regime. Specific U.S. objectives are detailed in the talking points in para 12 below.

¶10. (SBU) Through the use of these points, we seek to:

- Reach out to NAM and G-77 states that are NPT parties, emphasizing our common interests in an effective nuclear nonproliferation regime and seeking their constructive participation and full engagement in order to achieve RevCon decisions and outcomes to strengthen that regime;

- Demonstrate the U.S. commitment to its disarmament obligations under Article VI of the Treaty by highlighting our actions in undertaking START follow-on negotiations,

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pursuing a verifiable FMCT in the Conference on Disarmament, and working toward U.S. ratification of the CTBT;

- Describe active U.S. efforts to support a strengthened NPT in other ways, including by providing greater resources for the IAEA and strengthening its safeguards system; working with others to promote cooperation on peaceful uses of nuclear energy, consistent with the NPT's nonproliferation obligations; and working with others to deter abuse of the Treaty's withdrawal provision, such as by Parties that violate the NPT prior to withdrawal.

- Highlight U.S. leadership in funding and promoting peaceful uses of nuclear energy, the pillar of most interest to many NPT member states in the NAM and G/77; and

- Avoid allowing the NPT to be overshadowed by Middle East nuclear issues. The determination of Egypt and other Arab Parties to single out Israel for criticism of its

nuclear program, while largely ignoring the Iran threat, is so strong that it could divert attention from our core NPT objectives, which include increasing NPT compliance, strengthening the IAEA, and preventing abuse of the Treaty's withdrawal provisions.

ACTION REQUEST

¶11. (U) Posts are requested to seek appropriate opportunities to draw on the points in para 12 below for use with host governments and in public diplomacy fora. Another cable containing more detailed points on U.S. activities in support of IAEA technical cooperation in the peaceful uses of nuclear energy is forthcoming. In the coming weeks, the Department will make the talking points below available in the other official UN languages (Arabic, Chinese Mandarin, French, Russian, and Spanish).

The point of contact for questions and reporting of host country reactions to these points is:

William Menold
ISN/MNSA (202)647-7662
menoldwi@state.gov

¶12. (U) Begin Text of Talking Points:

General:

-- The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is the cornerstone of the international nonproliferation regime, and the essential foundation for progress towards nuclear disarmament and the promotion of the peaceful uses of nuclear energy.

-- The NPT entered into force in 1970 for a duration of 25 years, with provisions for a review conference (RevCon) every five years. At the 1995 RevCon, the Parties decided to extend the Treaty indefinitely.

-- The basic bargain of the NPT is sound: Countries with nuclear weapons will move towards disarmament, countries without nuclear weapons will not acquire them, and all countries can access peaceful nuclear energy.

-- Although this bargain remains sound and relevant, the global nonproliferation regime is under great stress, challenged by the growing commercial availability of sensitive nuclear technology, gaps in the IAEA verification system and detection, and the failure of a handful of states to comply fully with their NPT and IAEA safeguards obligations.

-- The challenges to the regime never have been greater, but neither have been the opportunities to address them. The May 2010

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NPT RevCon is a significant opportunity to do so.

-- The United States would like the 2010 RevCon to reaffirm the Parties' commitment to the Treaty and its core principles, and to

agree on actions that they can take to strengthen its implementation.

-- It is especially important that Parties avoid allowing their differences to overshadow their vital common interest in a strong Treaty and regime.

-- As President Obama said in his statement to the third NPT PrepCom in May, "we must define ourselves not by our differences, but by our readiness to pursue dialogue and hard work to ensure the NPT continues to make an enduring contribution to international peace and security."

-- The United States believes that it is very important that NPT Parties work together to prevent proliferation, including by ensuring that there are consequences for violating the Treaty.

-- All Parties, including non-nuclear-weapon states, have a responsibility to strengthen the Treaty system, including by preventing further proliferation, helping to foster regional security in order to reduce proliferation pressures, securing nuclear materials against theft or other illicit use, contributing constructively to multilateral disarmament negotiations, e.g., FMCT, and working collectively to enforce compliance with the Treaty.

-- The President's ambitious disarmament agenda - including negotiating a follow-on agreement to the Strategic Arms Reduction Treaty, negotiating a verifiable Fissile Material Cut-Off Treaty, and ratifying the Comprehensive Nuclear Test-Ban Treaty - demonstrates the U.S. commitment to the Treaty's Article VI (on disarmament) and to the ultimate elimination of nuclear weapons.

-- We fully support the right, reflected in the NPT, of all Parties to develop the peaceful use of nuclear energy, consistent with the Treaty's nonproliferation obligations. We believe that Parties should agree to support measures to facilitate access to nuclear energy without increasing the risks of proliferation.

Nonproliferation:

Strengthening NPT Compliance

-- It is essential that all Parties fully comply with the Treaty's provisions. Otherwise, the confidence necessary for Parties to take measures to strengthen the NPT further will be eroded, with dire consequences for the maintenance of international peace and security.

-- President Obama stated in his April 2009 Prague speech that there must be "real and immediate consequences for countries caught breaking the rules."

-- Unfortunately, we know that some Parties - including Iran and North Korea - have broken the Treaty's rules. NPT Parties that violate their Treaty obligations must come back into compliance.

-- The United States believes that NPT Parties should agree on the importance of enforcing compliance with the NPT's nonproliferation obligations, and of taking actions to ensure that Treaty violators face consequences for their violations.

Abuse of NPT Withdrawal Provision (Art. X)

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-- The United States and other NPT Parties have raised concerns about abuse of the Treaty's withdrawal provision to pursue nuclear weapons programs prohibited by the Treaty.

-- The importance of this issue was reflected in its inclusion in UN Security Council Resolution 1887, which was adopted unanimously by the UN Security Council Summit on Nuclear Nonproliferation and Disarmament chaired by President Obama on September 24, 2009 on the margins of this year's UN General Assembly.

-- In UNSCR 1887, the Council undertakes to address any State's notice of withdrawal from the NPT, and affirms that a State remains responsible under international law for violations of the NPT committed prior to its withdrawal.

-- We fully recognize that the Treaty enshrines in Article X the sovereign right to withdraw from the Treaty if a State Party decides that extraordinary events related to the subject matter of the Treaty have jeopardized its supreme national interests.

-- The United States fully supports that provision.

-- We want to be clear that we have no intention to seek to amend the Treaty.

-- However, Parties to the NPT have every right to consider the ramifications for their individual and collective security of such a withdrawal, including cases in which a state has breached its Treaty obligations prior to withdrawal and continues to benefit from technology acquired while it was a party.

-- We strongly believe that NPT Parties should come together to develop effective mechanisms to dissuade both the violations and any subsequent withdrawal, and to ensure that materials and equipment previously provided in accordance with peaceful use obligations are not used to develop nuclear weapons.

Supporting the IAEA

-- We are committed to ensuring that the IAEA has the resources that it needs to accomplish its mission. Parties must work together to strengthen the Agency's safeguards system, which is the Treaty's major tool for verifying compliance with the NPT's peaceful use undertakings and that peaceful nuclear energy programs are not diverted to nuclear weapons.

-- The IAEA's vital mission is expanding

faster than its resources, and its safeguards responsibilities now require it to gather and assess a wide range of information to detect not only diversion of declared nuclear material, but also the presence of any undeclared nuclear material and activities.

Safeguards Agreements and the Additional Protocol

-- In addition, the IAEA cannot do its job without the necessary legal authorities. We urge all NPT Parties that have not yet brought into force the "comprehensive" safeguards agreement required by Article III of the NPT to do so as soon as possible.

-- As the IAEA's experiences in Iraq demonstrated, and as we see in other cases today, comprehensive safeguards agreements alone are not sufficient to detect undeclared nuclear material and activities.

-- With that in mind, the IAEA and its Member States have adopted the Additional Safeguards Protocol. The Protocol is an essential element of the nonproliferation regime.

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-- It is critical that all Parties work together to make the Protocol universal. We urge all states that have not yet done so to negotiate and bring into force an Additional Protocol as soon as possible.

-- The U.S. Protocol entered into force on January 6, 2009, and we are in the process of implementing its provisions.

Middle East

-- The United States continues to fully support a Middle East free of all weapons of mass destruction and the means of their delivery.

-- Indeed, we fully support all of the objectives of the Resolution on the Middle East adopted at the 1995 NPT Review Conference (which includes a call for a Middle East WMD free zone), and will continue to work with all states, within and outside the region, towards implementing the Resolution's objectives at the earliest possible date.

-- We believe that a Middle East free of all weapons of mass destruction and their delivery systems is an achievable goal, but it will not happen overnight, or without a concerted effort by the international community to make it a reality.

-- However, we recognize that such goals can be achieved only in the context of progress towards a comprehensive peace in the Middle East, and evidence that Iran and Syria are fully implementing and upholding the existing international agreements to which they are parties.

-- The United States urges all states to take practical and concrete steps, in a constructive and collaborative manner, to remove the obstacles to achieving this goal.

-- The United States long has supported universal adherence to the Treaty. We continue to urge all non-parties to join the Treaty and to accept full-scope safeguards by the International Atomic Energy Agency, as required by the Treaty.

Nuclear Security

-- The possibility that terrorists might acquire a nuclear weapon is the most immediate and extreme threat to global security. Consequently, the challenge of accounting for and physically securing nuclear materials and facilities has become an even higher priority for the international community.

-- The United States will seek support from others to implement President Obama's proposal for a new international effort to secure all vulnerable nuclear material around the world. As part of this effort, we will host a Global Summit on Nuclear Security next April.

-- We seek to elevate this issue on the international agenda and set new standards, expand our cooperation with Russia, and pursue new partnerships to lock down these sensitive materials.

Disarmament:

-- President Obama has committed the United States to take concrete steps towards a world without nuclear weapons, the goal envisioned under the NPT's Article VI provision, which states: "Each of the parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament

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under strict and effective international control."

-- To this end, the United States is negotiating a START follow-on agreement with the Russian Federation; is pursuing ratification of the Comprehensive Nuclear Test Ban Treaty; and has pledged its support for negotiation in the Conference on Disarmament end to verifiably end the production of fissile materials for nuclear weapons.

-- We urge other states to identify and implement practical steps that they might take to support their Article VI obligations.

START

-- The President said in Prague that: "We will seek a new agreement [to replace the Strategic Arms Reduction Treaty] by the end of the year that is legally binding and sufficiently bold~ This will set the stage for further cuts, and we will seek to include all nuclear weapon states in this endeavor."

-- In Moscow on July 6, 2009, President Obama

and Russian President Medvedev signed a Joint Understanding setting forth key elements of a follow-on agreement to the Strategic Arms Reduction Treaty (START).

-- The United States and Russia have been intensively negotiating the new treaty as Presidents Obama and Medvedev stated when they met in Singapore in early November.

-- This agreement will lay a foundation and set the stage for deeper nuclear reductions in the future.

CTBT

-- The permanent and legally binding cessation of all nuclear weapon test explosions constitutes another meaningful step towards nuclear disarmament, and long has been a goal of NPT Parties.

-- President Obama confirmed in Prague that the United States will pursue U.S. ratification of the Comprehensive Nuclear Test-Ban Treaty (CTBT). We have commissioned a study by the National Academy of Sciences that addresses the technical advances that have occurred during the ten years since the United States Senate declined to give its advice and consent to the CTBT in 1999. We continue to consult with the scientific, defense, and intelligence communities to address relevant issues related to reconsideration of the CTBT by our Senate. We also will launch - and encourage your support for - a diplomatic effort to bring on board the other states whose ratifications are required for the treaty to enter into force.

-- Pending the entry into force of the CTBT, the United States reaffirms its moratorium on nuclear testing, and calls on other states to do likewise.

FMCT

-- The United States is seeking a new treaty that verifiably ends the production of fissile materials intended for use in nuclear weapons or other nuclear explosive devices - a Fissile Material Cut-Off Treaty - which is another long-standing international objective.

-- Following the President's Prague speech, for the first time since 1998, the Conference on Disarmament (CD) in Geneva reached consensus in May 2009 on a program of work that included negotiations on an FMCT. Although procedural objections by one CD member state precluded the start of such negotiations in 2009, the United States is

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working with members of the CD to try to ensure that negotiations can begin when the CD convenes for its 2010 session on January 18.

-- Pending the successful negotiation and entry into force of an FMCT, the United States reaffirms its decades-long unilateral moratorium on the production of fissile material for nuclear weapons, and calls on

others that have yet to do so to join us.

U.S. Nuclear Reductions

-- The United States continues to make extraordinary progress in reducing its stockpile of nuclear weapons, strategic delivery systems, fissile materials for weapons, and the associated nuclear weapons infrastructure.

-- We have dismantled more than 13,000 warheads since 1988. Under current plans, the U.S. nuclear weapons stockpile by 2012 will be less than 25 per cent of its 1991 total, and at its lowest level since the 1950s.

-- The United States has reduced the number of operationally-deployed nuclear weapons from approximately 10,000 in 1991 to approximately 2,250 as of December 31, 2008.

-- The United States has dismantled more than 3,000 non-strategic nuclear weapons, removed all such weapons from surface ships and aircraft, and reduced their deployment in support of NATO in Europe by 90 percent from the peak of the Cold War.

-- To date, the United States has declared 374 tons of highly enriched uranium (HEU) and 61.5 tons of plutonium (Pu) excess to nuclear weapons needs and removed that material from the weapons inventory - enough material, based on the IAEA definition of significant quantities of nuclear materials, to produce more than 20,000 nuclear weapons.

ONLY If asked about the Nuclear Posture Review

-- The Nuclear Posture Review (NPR) is authorized by the U.S. Congress periodically. It will analyze the role of nuclear weapons in our national security strategy, the size and composition of nuclear forces necessary to support that strategy, and the steps necessary to maintain a safe, secure, and effective nuclear deterrence posture for the next 5-10 years.

Peaceful Uses of Nuclear Energy:

-- The U.S. strongly supports the NPT's Article IV provisions affirming "the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II~" and that "All the parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy...."

-- Peaceful uses of nuclear energy include programs that apply nuclear science and technology to advance human and economic development needs, including: food safety, nutrition, disease prevention, medical diagnostic and therapeutic capacities, and water resource management.

-- The United States is the largest

contributor to the IAEA's peaceful uses of nuclear energy and technical cooperation programs. We continue to explore possible areas in which we can expand and deepen our support for peaceful uses of nuclear energy in ways that can benefit the most vulnerable,

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particularly in the areas of cancer diagnosis and treatment, disease prevention, and potable water and food security.

-- The President's commitment to ongoing support of peaceful uses is reflected in the continuation of our long-held status as the leading funder of peaceful uses programs in the IAEA.

-- Peaceful uses also include efforts to promote nuclear power and enhance the safe use and handling of nuclear material.

-- If deployed with the highest possible standards of safety, security, and nonproliferation, nuclear energy will play an essential role in combating climate change, while advancing peace and promoting sustainable development worldwide.

-- The need for a new framework is ever growing, as more and more countries express interest in new civil nuclear power programs. At last count, more than 60 states had expressed some level of interest in introducing civil nuclear power into their energy mix.

-- These "nuclear newcomers" will be faced with many challenges in establishing the robust infrastructures necessary for the safe, secure, and safeguarded deployment of nuclear energy and its applications.

-- In response to the growing interest in civil nuclear power, advanced nuclear states rapidly are expanding infrastructure development programs with newcomer states.

-- For example, the United States and others are providing assistance with the development of necessary legal infrastructure to ensure that civilian uses of nuclear technology will be properly regulated, and will incorporate the highest international safety and security standards.

-- Worldwide expansion of nuclear power must not be accompanied by a dramatically increased threat of nuclear proliferation.

-- Any successful, broadly supported approach must assure countries expanding or embarking on nuclear power programs that they will have reliable access to peaceful nuclear technologies and fuel services and - at the same time - must serve the international community's collective security interest in avoiding the spread of nuclear weapons production capabilities.

-- In his Prague speech, President Obama declared: "We should build a new framework for civil nuclear cooperation, including an international fuel bank, so that countries can access peaceful power without increasing the risks of proliferation. That must be the

right of every nation that renounces nuclear weapons, especially developing countries embarking on peaceful programs."

-- We are working with the IAEA and others to pursue these goals and concepts, such as international fuel cycle centers (as proposed by Russia), and reliable fuel supply assurances.

-- Over time, these arrangements can be broadened to include not only fuel banks, but international enrichment centers, fuel fabrication cooperation, fuel-leasing approaches, and spent fuel take-back and management schemes.

END TEXT OF TALKING POINTS.
CLINTON